

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 98-387-C - ORDER NO. 2004-298

JUNE 18, 2004

IN RE: Application of NOW Communications, Inc. for)	ORDER CANCELLING
a Certificate of Public Convenience and)	CERTIFICATE
Necessity to Offer Local Exchange and)	
Interexchange Telecommunications Services)	
within the State of South Carolina.)	

This matter comes before the Public Service Commission of South Carolina (“Commission”) on the request of NOW Acquisition Corporation (“NAC”) to cancel the Certificate of Public Convenience and Necessity (“PC&N”) of NOW Communications, Inc. (“NOW”). A review of the docket file reveals that the Commission initially granted NOW authority to provide local exchange and interexchange telecommunications services by Order No. 98-949, dated December 3, 1998. Thereafter, Order No. 2000-762, dated September 12, 2000, was issued and amended NOW’s Certificate of PC&N by the addition of a “doing business as” name or trade name of Tel-Link, and Order No. 2001-969, dated September 27, 2001, was issued and modified Order No. 98-949 by granting NOW authority to provide its local exchange services on a resale basis and using unbundled network element platform (UNE-P). By Order No. 2003-553, dated October 2, 2003, Docket No. 2003-193-C, the Commission approved the joint application of NOW and NAC to transfer the assets and Certificates of Public Convenience and Necessity of NOW to NAC.

By letter of April 29, 2004, NAC advised the Commission that NAC had completed the acquisition of the assets of NOW and accordingly, requests cancellation of NOW's Certificate of PC&N to provide local exchange and interexchange telecommunications services in the State of South Carolina. Item 22 of the Conclusions of Law of Order No. 2003-553 required the Applicants (NOW and NAC) to notify the Commission when the transaction closed and required NOW to submit a request for cancellation of its Certificate of Public Convenience and Necessity.

As NOW is not providing the services for which its Certificate of PC&N was granted by virtue of the transfer of assets to and acquisition by NAC, the Commission finds and concludes that NOW's Certificate of Public Convenience and Necessity to provide local exchange and interexchange telecommunications services within the State of South Carolina should be cancelled.

IT IS THEREFORE ORDERED THAT:

1. The Certificate of Public Convenience and Necessity to provide local exchange and interexchange telecommunications services within the State of South Carolina authorized by Order No. 98-949, dated December 3, 1998, and as modified by subsequent Orders, Order No. 2000-762 and Order No. 2001-969, issued in the instant docket to NOW Communications, Inc. is hereby cancelled.

2. This Order shall remain in full force and effect until further Order of the Commission.

/s/
Mignon L. Clyburn, Chairman

ATTEST:

/s/
Bruce F. Duke, Executive Director

(SEAL)